

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/3/99**

Received By: **yacketa**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Goldman**

This file may be shown to any legislator: **NO**

Drafter: **yacketa**

May Contact:

Alt. Drafters:

Subject: **Health - public health**

Extra Copies: **DAK**

Pre Topic:

LFB:.....Goldman -

Topic:

WIC electronic benefits transfer

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	yacketa 05/10/99	ygeller 05/11/99	martykr 05/12/99	_____	lrb_docadmin 05/12/99		
/1	yacketa 05/27/99	ygeller 05/28/99	martykr 05/28/99	_____	lrb_docadmin 05/28/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/3/99**

Received By: **yacketa**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Goldman**

This file may be shown to any legislator: **NO**

Drafter: **yacketa**

May Contact:

Alt. Drafters:

Subject: **Health - public health**

Extra Copies: **DAK**

Pre Topic:

LFB:.....Goldman -

Topic:

WIC electronic benefits transfer

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	yacketa 05/10/99	ygeller 05/11/99	martykr 05/12/99	_____	lrb_docadmin 05/12/99		
FE Sent For:		1 5/28 yg	4/28/99	2/28/99			

<END>

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB133)

Received: **05/3/99**

Received By: **yacketa**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Goldman**

This file may be shown to any legislator: **NO**

Drafter: **yacketa**

May Contact:

Alt. Drafters:

Subject: **Health - public health**

Extra Copies: **DAK**

Pre Topic:

LFB:.....Goldman -

Topic:

WIC electronic benefits transfer

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	yacketa	1/5/11 jlg	Kmr 11	JT 5 Kmr 12	Submit, Please		

FE Sent For:

<END>

Adopted

Senator Moore

HEALTH AND FAMILY SERVICES -- PUBLIC HEALTH

WIC Electronic Benefits Transfer

Motion:

Move to create a nine-member board attached to DHFS, the "Supplemental Food Program for Women, Infants and Children Board." Require the WIC Board to do all of the following:

- Review all state statutes, administrative rules and Department policies regarding the WIC program to determine the cost and delivery effect on vendors and eligible program participants;
- Propose statute, rule and policy changes that would limit the occurrences of WIC vendor suspensions and terminations;
- Propose statute and rule changes necessary for the state to comply with new federal WIC vendor compliance regulations;
- Study the feasibility of adding the WIC program to the current food stamp electronic benefit (EBT) program;
- Advise DHFS and the Legislature on policies necessary to ensure that no additional costs are incurred by WIC vendors as a result of adding WIC to the food stamps EBT program; and
- Report to DHFS and the Legislature the Board's recommendation for increasing the number of WIC vendors participating in the program.

Specify that the Board would be comprised of the following members: (a) two individuals representing grocers, one of which would represent independent retail stores and one of which would represent the food industry warehouse distribution system; (b) one individual representing convenience stores; (c) one individual representing pharmacies; (d) one individual representing financial institutions; (e) two WIC recipients; (f) one individual representing DHFS; and (g) one individual representing the Hunger Task Force.

~~Specify~~ that the members of the Board would serve for three-year terms and that the Chairperson of the Board would be an elected member of the Board, except that the Chairperson could not be the DHFS representative.

Require the Board to meet at least quarterly. The Board could meet more frequently than each quarter if a meeting were called by the Chairperson or a majority of the members. Require DHFS to provide administrative services for the Board.

Require DHFS to conduct a WIC EBT study that would include the following information:

- The program and operational requirements of establishing a WIC EBT system;
- Information system requirements for administering a WIC EBT system;
- The compatibility of a WIC EBT system with the prevailing commercial electronic payment system infrastructure, the food stamps EBT system and the MA electronic benefits "Forward" card;
- The costs and benefits of a WIC EBT system for the WIC program, recipients and food retailers;
- Possible funding sources for the implementation of a WIC system; and
- Recommendations for reducing fraud in the WIC program.

Require DHFS to report on the findings of this study to the Joint Committee on Finance by January 1, 2001. Specify that DHFS would report on the feasibility of establishing a WIC EBT system and the state and local fiscal effect of implementing such a system.

Finally, specify that the WIC Board would be terminated on January 1, 2001.



State of Wisconsin
1999-2000 LEGISLATURE

LRBb0229/P1

TAY.....

Soon D-NOTE

RMK Jlg

LFB:.....Goldman – WIC electronic benefits transfer

FOR 1999-01 BUDGET – NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 1. Page ¹³⁰ ~~11~~, line ⁷ ~~11~~: after that line insert:

3 " SECTION ~~22~~ ³⁴ 15.197 (26) of the statutes is created to read:

4 15.197 (26) SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN
COUNCIL ← (S)

5 ~~BOARD~~ (a) There is created in the department of health and family services a
6 supplemental food program for women, infants and children council. The council
7 shall consist of the following members:

- 8 1. One representative of independent retail grocery stores.
- 9 2. One representative of the food industry warehouse distribution system.
- 10 3. One representative of convenience stores.
- 11 4. One representative of pharmacies.
- 12 5. One representative of financial institutions.

1 6. Two participants in the supplemental food program for women, infants and
2 children.

3 7. The secretary[✓] of health and family services or his or her designee.

4 8. One representative of a community-based hunger prevention program in the
5 city of[✓] Milwaukee.

6 (b) The council shall meet at least 4[✓] times per year.

7 (c) This subsection does not apply beginning on January 1, 2001.[✓]

8 **2.** Page¹¹²⁸ 7, line¹³ 7: after that line insert:

9 ²⁴³⁵⁹ SECTION 27. 253.06 (9) of the statutes is created to read:

10 253.06 (9)[✓] COUNCIL. (a) In this[✓] subsection, "council" means the supplemental
11 food program for women, infants and children council under s.[✓]15.197 (26).

12 (b) The council shall do all of the following:

13 1. Review all of the state statutes, administrative rules and department
14 policies regarding the program under this section.

15 2. Propose statutory, rule or policy changes that would limit the occurrences of
16 vender suspensions and terminations under sub. (5) (b) 2.[✓]

17 3. Propose statutory and rule changes necessary to ensure compliance with
18 federal law.

19 4. Study the feasibility of distributing drafts to participants via the[✓] electronic
20 benefit transfer system established under s. 49.129[✓] and advise the[✓] department and
21 the legislature regarding any policies necessary to ensure that no additional costs be
22 incurred by vendors under the[✓] electronic benefit transfer system.

check A

(c) This subsection does not apply beginning on January 1, 2001.

1 5. Submit a report to the secretary and to the legislature in the manner
2 described under s. 13.172 (2) that details the ~~board's~~ ^{council's} recommendations for increasing
3 the number of vendors participating in the program under this section. ³

4 nonstat

3. Page ¹⁴⁰⁸ 1, line ¹⁵ 1: after that line insert:

5 STUDY ON ELECTRONIC BENEFITS TRANSFER SYSTEMS UNDER THE SUPPLEMENTAL
6 FOOD PROGRAM FOR WOMEN ¹ INFANTS AND CHILDREN. ¹¹ (a) The department of health and
7 family services shall study all of the following:

8 1. The program and operational requirements of establishing an electronic
9 benefit transfer system under the supplemental food program for women, infants
10 and children.

11 2. Information system requirements for administering an electronic benefit
12 transfer system under the supplemental food program for women, infants and
13 children.

14 3. Compatibility of an electronic benefit transfer system under the
15 supplemental food program for women, infants and children with existing electronic
16 benefit transfer systems.

17 4. The costs and benefits of implementing an electronic benefit transfer system
18 to the department, ^{of health and family services} participants and vendors under the supplemental food program
19 for women, infants and children.

20 5. Possible funding sources for the implementation of an electronic benefit
21 transfer system under the supplemental food program for women, infants and
22 children.

23 6. Not later than January 1, 2001, the department ^{of health and family services} shall report the findings of
24 the study under ^{paragraph} par (a) to the cochairpersons of the joint committee on finance. The

1 report shall also include recommendations for fraud reduction under the
2 supplemental food program for women, infants and children." ✓

3 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0229/P1dn

TAX...:....

↑
JG

Amie Goldman:

As we discussed, because the supplemental food program for women, infants and children (WIC) board proposed by motion #204 has all the qualities of a council and none of the qualities of a board, I have instead referred to the body as a council. Additionally, as we also discussed, because the council is due to sunset January 1, 2001, I did not provide 3-year terms for the members of the council since that would require members to serve beyond the duration of the body on which they would be serving.

As the motion instructs, I have provided that the department is to study and prepare a report on electronic benefit transfer systems for WIC; however, I cannot determine what the difference is between that report and the report prepared by the WIC council. The directive to the department seems redundant in light of the duties of the council. What is the purpose of the council's work if the department must essentially study the same issues and prepare essentially the same report? Is there a subtle difference that I have not captured in this draft?

Finally I included the requirement that the department study fraud reduction under WIC, but this ^{too} seems ~~like overkill~~ ^{unnecessary} since the department made rather exhaustive recommendations in the budget last session to reduce and punish fraud. Is there something more to that instruction that I have not effected in this draft?

Tina A. Yacker
Legislative Attorney
Phone: (608) 261-6927
E-mail: Tina.Yacker@legis.state.wi.us

(NSP) These recommendations are now reflected in current law.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0229/P1dn

TAY:jlg:km

May 11, 1999

Amie Goldman:

As we discussed, because the supplemental food program for women, infants and children (WIC) board proposed by motion #204 has all the qualities of a council and none of the qualities of a board, I have instead referred to the body as a council. Additionally, as we also discussed, because the council is due to sunset January 1, 2001, I did not provide 3-year terms for the members of the council since that would require members to serve beyond the duration of the body on which they would be serving.

As the motion instructs, I have provided that the department is to study and prepare a report on electronic benefit transfer systems for WIC; however, I cannot determine what the difference is between that report and the report prepared by the WIC council. The directive to the department seems redundant in light of the duties of the council. What is the purpose of the council's work if the department must essentially study the same issues and prepare essentially the same report? Is there a subtle difference that I have not captured in this draft?

Finally, I included the requirement that the department study fraud reduction under WIC, but this too seems unnecessary since the department made rather exhaustive recommendations in the budget last session to reduce and punish fraud. Those recommendations are now reflected in current law. Is there something more to that instruction that I have not effected in this draft?

Tina A. Yacker
Legislative Attorney
Phone: (608) 261-6927
E-mail: Tina.Yacker@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0229/A 1
TAY:jlg:km

SOON

RMR

LFB:.....Goldman - WIC electronic benefits transfer

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 130, line 7: after that line insert:

3 “**SECTION 34f.** 15.197 (26) of the statutes is created to read:

4 15.197 (26) SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN
5 COUNCIL. (a) There is created in the department of health and family services a
6 supplemental food program for women, infants and children council. The council
7 shall consist of the following members:

- 8 1. One representative of independent retail grocery stores.
9 2. One representative of the food industry warehouse distribution system.
10 3. One representative of convenience stores.
11 4. One representative of pharmacies.
12 5. One representative of financial institutions.

1 6. Two participants in the supplemental food program for women, infants and
2 children.

3 7. The secretary of health and family services or his or her designee.

4 8. One representative of a community-based hunger prevention program in the
5 city of Milwaukee.

6 ~~¶ (c) ¶~~ The council shall meet at least 4 times per year.

7 ~~¶ (a) ¶~~ This subsection does not apply beginning on January 1, 2001.”

8 **2.** Page 1128, line 13: after that line insert:

9 “**SECTION 2435q.** 253.06 (9) of the statutes is created to read:

10 253.06 (9) COUNCIL. (a) In this subsection, “council” means the supplemental
11 food program for women, infants and children council under s. 15.197 (26).

12 (b) The council shall do all of the following:

13 1. Review all of the state statutes, administrative rules and department
14 policies regarding the program under this section.

15 2. Propose statutory, rule or policy changes that would limit the occurrences of
16 vender suspensions and terminations under sub. (5) (b) 2.

17 3. Propose statutory and rule changes necessary to ensure compliance with
18 federal law.

19 4. Study the feasibility of distributing drafts to participants via the electronic
20 benefit transfer system established under s. 49.129 and advise the department and
21 the legislature regarding any policies necessary to ensure that no additional costs be
22 incurred by vendors under the electronic benefit transfer system.

(b) The member under par. (a) 7. ✓ may not serve as the
chairperson of the council.

1 5. Submit a report to the secretary and to the legislature in the manner
2 described under s. 13.172 (2) that details the council's recommendations for
3 increasing the number of vendors participating in the program under this section.

4 (c) This subsection does not apply beginning on January 1, 2001.”

5 **3.** Page 1408, line 15: after that line insert:

6 “(8d) STUDY ON ELECTRONIC BENEFITS TRANSFER SYSTEMS UNDER THE SUPPLEMENTAL
7 FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN.

8 (a) The department of health and family services shall study all of the
9 following:

10 1. The program and operational requirements of establishing an electronic
11 benefit transfer system under the supplemental food program for women, infants
12 and children.

13 2. Information system requirements for administering an electronic benefit
14 transfer system under the supplemental food program for women, infants and
15 children.

16 3. Compatibility of an electronic benefit transfer system under the
17 supplemental food program for women, infants and children with existing electronic
18 benefit transfer systems.

19 4. The costs and benefits of implementing an electronic benefit transfer system
20 to the department of health and family services, participants and vendors under the
21 supplemental food program for women, infants and children.

22 5. Possible funding sources for the implementation of an electronic benefit
23 transfer system under the supplemental food program for women, infants and
24 children.

1 (b) Not later than January 1, 2001, the department of health and family
2 services shall report the findings of the study under paragraph (a) to the
3 cochairpersons of the joint committee on finance. The report shall also include
4 recommendations for fraud reduction under the supplemental food program for
5 women, infants and children.”

6 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0229/1
TAY:jlg:km

LFB:.....Goldman – WIC electronic benefits transfer

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 130, line 7: after that line insert:

3 “**SECTION 34f.** 15.197 (26) of the statutes is created to read:

4 **15.197 (26) SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN**
5 **COUNCIL.** (a) There is created in the department of health and family services a
6 supplemental food program for women, infants and children council. The council
7 shall consist of the following members:

- 8 1. One representative of independent retail grocery stores.
9 2. One representative of the food industry warehouse distribution system.
10 3. One representative of convenience stores.
11 4. One representative of pharmacies.
12 5. One representative of financial institutions.

1 6. Two participants in the supplemental food program for women, infants and
2 children.

3 7. The secretary of health and family services or his or her designee.

4 8. One representative of a community-based hunger prevention program in the
5 city of Milwaukee.

6 (b) The member under par. (a) 7. may not serve as the chairperson of the council.

7 (c) The council shall meet at least 4 times per year.

8 (d) This subsection does not apply beginning on January 1, 2001.”

9 **2.** Page 1128, line 13: after that line insert:

10 “**SECTION 2435q.** 253.06 (9) of the statutes is created to read:

11 253.06 (9) COUNCIL. (a) In this subsection, “council” means the supplemental
12 food program for women, infants and children council under s. 15.197 (26).

13 (b) The council shall do all of the following:

14 1. Review all of the state statutes, administrative rules and department
15 policies regarding the program under this section.

16 2. Propose statutory, rule or policy changes that would limit the occurrences of
17 vender suspensions and terminations under sub. (5) (b) 2.

18 3. Propose statutory and rule changes necessary to ensure compliance with
19 federal law.

20 4. Study the feasibility of distributing drafts to participants via the electronic
21 benefit transfer system established under s. 49.129 and advise the department and
22 the legislature regarding any policies necessary to ensure that no additional costs be
23 incurred by vendors under the electronic benefit transfer system.

1 5. Submit a report to the secretary and to the legislature in the manner
2 described under s. 13.172 (2) that details the council's recommendations for
3 increasing the number of vendors participating in the program under this section.

4 (c) This subsection does not apply beginning on January 1, 2001.”.

5 **3.** Page 1408, line 15: after that line insert:

6 “(8d) STUDY ON ELECTRONIC BENEFITS TRANSFER SYSTEMS UNDER THE SUPPLEMENTAL
7 FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN.

8 (a) The department of health and family services shall study all of the
9 following:

10 1. The program and operational requirements of establishing an electronic
11 benefit transfer system under the supplemental food program for women, infants
12 and children.

13 2. Information system requirements for administering an electronic benefit
14 transfer system under the supplemental food program for women, infants and
15 children.

16 3. Compatibility of an electronic benefit transfer system under the
17 supplemental food program for women, infants and children with existing electronic
18 benefit transfer systems.

19 4. The costs and benefits of implementing an electronic benefit transfer system
20 to the department of health and family services, participants and vendors under the
21 supplemental food program for women, infants and children.

22 5. Possible funding sources for the implementation of an electronic benefit
23 transfer system under the supplemental food program for women, infants and
24 children.

